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PATENT
Customer No. 22,852
Attorney Docket No. 06809.0029

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Morton M. MOWER) Group Art Unit: 3762
)
Application No.: 10/654,959) Examiner: Unknown
)
Filed: September 5, 2003) Confirmation No.: 7929
)
For: METHOD AND APPARATUS FOR)
PROVIDING IPSELATERAL)
THERAPY)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO/SB/08 form. Applicant is filing this Supplemental Information Disclosure Statement (IDS) before the mailing date of a first Office Action on the merits for the above-referenced application, to the undersigned's knowledge at the time of filing. This IDS supplements the IDS filed on March 5, 2004.

Copies of the listed foreign and non-patent literature documents are attached. Copies of the U.S. patents and U.S. patent publications are not enclosed. Applicant respectfully requests that the Examiner consider the listed documents and indicate their consideration by making appropriate notation on the attached PTO/SB/08 form.

The relevance of two non-English language documents, D'AIOTOLO et al., "Tratamiento De Las Arritmias Cardiacas" ("D'Aiotolo"), and SILVA, "Influencia de la

Localizacion de la Estimulacion Electrica Ventricular Sobre la Eficiencia Cardiaca. Estudio Experimental Y Clinico” (“Silva”), is set forth below.

D’Aiotolo generally discloses “Treatment of Cardiac Arrhythmias,” in particular, Chapter I is the “Introduction.” Chapter II discusses “Physiology of Cardiac Rhythm.” Chapter III discusses “Physiopathology of Arrhythmias.” Chapter IV discusses “Pharmacology of Anti-Arrhythmic Drugs.” Chapter V discusses “Pharmacologic Treatment of Arrhythmias.” Chapter VI discusses “Rhythmic Electric Stimulation - Cardiac Pacemakers.” Chapter VII discusses “Indications/Procedures, Results, and Complications from Pacemaker Implantations.” Chapter VIII discusses “Arrhythmias in Patients with Artificial Cardiac Pacemakers.” Chapter IX discusses “Paired and Coupled Pacemakers and their use in Treatment of Arrhythmias and Cardiac Insufficiency.” Chapter X discusses “Electrophysiological Studies in the Human Heart.” Chapter XI discusses “Cardioversion [electric shock to heart], Theoretical and Experimental Fundamentals, Clinical Uses, and Indications/Procedures. Finally, Chapter XII discusses “Intensive Care Units.”

Silva is a doctoral dissertation that generally discloses “Effect of Location of Ventricular Electrical Stimulation on Cardiac Efficiency – Experimental and Clinic Study.” In particular, Chapter 1 is the “Introduction,” with Section 1.1 setting forth the background and fundamentals of the study. Section 1.1.1 discusses Permanent cardiac stimulation: evolution and current status. Section 1.1.2 discusses prior studies on the influence of the place of cardiac stimulation on hemodynamic (blood circulation) parameters and continuing interest in this line of research. Section 1.1.3 discusses the mechanics of ventricular contraction. Section 1.2 discusses comments on the methodology followed. Section 1.2.1 discusses an experimental model: electric activation (stimulation) in dogs – an epicardic map. Section 1.2.2 discusses the clinical (work), evaluation (& follow up) methods. Chapter 2 is the “Objectives.” Chapter 3 is the

“Materials and Methods,” with Section 3.1 discussing the experimental model and 3.2 discussing the clinical work. Chapters 4, 5, 6, 7, and 8 are the “Results,” “Discussion,” “Conclusions,” “Summary,” and “References,” respectively.

In lieu of a statement of relevance for the remaining non-English language documents, English-language Abstracts are provided.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute “prior art.” If the Examiner applies any or all of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute “prior art” under United States law, Applicant reserves the right to present the relevant facts and law to the Office regarding the appropriate status of such documents.

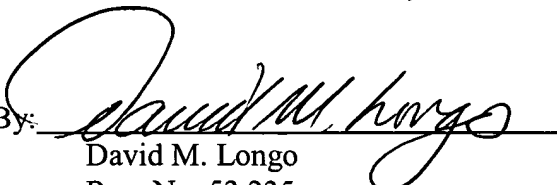
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any or all of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 11, 2006

By: 
David M. Longo
Reg. No. 53,235

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

Complete if Known

Application Number	10/654,959
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First Named Inventor	Morton M. Mower
Art Unit	3762
Examiner Name	Unknown
Attorney Docket Number	06809.0029

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US--3,345,990	10/10/1967	Berkovits	
		US--3,431,912	03/11/1969	Keller, Jr.	
		US--3,433,228	03/18/1969	Keller, Jr.	
		US--3,595,242	07/27/1971	Berkovits	
		US--3,648,707	03/14/1972	Greatbach	
		US--3,747,604	07/24/1973	Berkovits	
		US--3,814,106	06/04/1974	Berkovits	
		US--3,903,897	09/09/1975	Woolons et al.	
		US--3,937,226	02/10/1976	Funke	
		US--4,052,991	10/11/1977	Zacouto	
		US--4,057,067	11/08/1977	Lajos	
		US--4,088,140	05/09/1978	Rockland et al.	
		US--4,303,075	12/01/1981	Heilman et al.	
		US--4,312,355	01/26/1982	Funke	
		US--4,332,259	06/01/1982	McCorkle, Jr.	
		US--4,335,727	06/22/1982	McPherson	
		US--4,354,497	10/19/1982	Kahn	
		US--4,378,020	05/29/1983	Nappholz et al.	
		US--4,401,119	08/30/1983	Herpers	
		US--4,418,695	12/06/1983	Buffet	
		US--4,429,697	02/07/1984	Nappholz et al.	
		US--4,452,248	06/05/1984	Keller, Jr.	
		US--4,458,677	07/10/1984	McCorkle, Jr.	
		US--4,541,417	09/17/1985	Krikorian	
		US--4,548,203	10/22/1985	Tacker, Jr. et al.	
		US--4,554,922	11/26/1985	Prystowsky, et al.	
		US--4,624,260	11/25/1986	Baker, Jr. et al.	
		US--4,685,446	08/11/1987	Choy	
		US--4,705,043	11/10/1987	Imran	
		US--4,727,877	03/01/1988	Kallok	
		US--4,774,950	10/04/1988	Cohen	
		US--4,790,317	12/13/1988	Davies	
		US--4,799,486	01/24/1989	DuFault	

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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
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		Number-Kind Code ² (if known)			
		US--4,817,608	04/04/1989	Shapland et al.	
		US--4,827,932	05/09/1989	Ideker et al.	
		US--4,827,934	05/09/1989	Ekwall	
		US--4,830,006	05/16/1989	Haluska et al.	
		US--4,925,443	05/15/1990	Heilman et al.	
		US--4,928,688	05/29/1990	Mower	
		US--4,932,407	06/12/1990	Williams	
		US--4,967,749	11/06/1990	Cohen	
		US--4,974,588	12/04/1990	Smits	
		US--5,014,696	05/14/1991	Mehra	
		US--5,024,222	06/18/1991	Thacker	
		US--5,083,563	01/28/1992	Collins	
		US--5,099,838	03/31/1992	Bardy	
		US--5,111,811	05/12/1992	Smits	
		US--5,129,394	07/14/1992	Mehra	
		US--5,158,097	10/27/1992	Christlieb	
		US--5,213,098	05/25/1993	Bennett et al.	
		US--5,251,621	10/12/1993	Collins	
		US--5,334,222	08/02/1994	Salo et al.	
		US--5,545,204	08/13/1996	Cammilli et al.	
		US--5,584,868	12/17/1996	Salo et al.	
		US--5,899,930	05/04/1999	Flynn et al.	
		US--5,626,620	05/06/1997	Kieval et al.	
		US--5,902,324	05/11/1999	Thompson et al.	
		US--5,919,209	07/06/1999	Schouten	
		US--6,185,459 B1	02/06/2001	Mehra et al.	
		US--6,298,268 B1	10/02/2001	Ben-Haim et al.	
		US--6,317,631 B1	11/13/2001	Ben-Haim et al.	
		US--6,330,476 B1	12/11/2001	Ben-Haim et al.	
		US--6,337,995 B1	01/08/2002	Mower	
		US--6,463,324 B1	10/08/2002	Ben-Haim et al.	
		US--RE38119 E	05/20/2003	Mower	

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		GB 1401247	11/16/1983	Siemens Aktiengesellschaft		
		GB 2119255A	07/23/1975	Teletronics Pty. Ltd.		
		EP 0017447 A1	10/15/1980	Medtronic, Inc.		
		EP 0039269 A1	11/14/1981	Medtronic, Inc.		
		WO 82/03783	11/11/1982	Biotronik		English-Language Abstract

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		Morton M. MOWER, U.S. Application No. 10/214,474, entitled "METHOD AND APPARATUS FOR TREATING HEMODYNAMIC DISFUNCTION," filed August 8, 2002 (Continuation Reissue Application of U.S. Patent No. 4,928,688).	
		Picture of Biventricular Pacer manufactured by American Optical Co., American Optical Corp., Research Division, Biventricular Pacer Device, 1975.	
		ARANDA et al., "A New Pacemaker for Simultaneous Biventricular Stimulation of the Human Heart," Clin. Res., Vol. XXIV, No. 3, p. 206A (1976).	
		BADEER, "Relation of ECG to Mechanical Events," <i>Cardiovascular Physiology</i> , 1984, 6:57-58.	
		BAILON et al., "Some Data for an Unanswered Question: Choosing the Ventricular Electrode Place," Pacing and Clinical Electrophysiology, Volume 8, No. 3, Part II, p. A-11 (1985).	
		BAKKER et al., "Beneficial Effects of Biventricular Pacing in Congestive Heart Failure," <i>PACE</i> , 1994 Apr, 17 (4):820.	
		BAKKER et al., "Biventricular Pacing in Congestive Heart Failure," <i>Clinical Research</i> , vol. 42, no. 2., April 1994, p. 327A.	
		BAKKER et al., "Biventricular Pacing Improves Functional Capacity in Patients with End-Stage Congestive Heart Failure," <i>PACE</i> , NASPE Abstracts 1995 (18):825.	
		BAROLD et al., "First Reports of Electrical Multisite Ventricular Activation in Humans," <i>PACE</i> , 2000 December, (23):2117-2119.	
		BASHIR et al., "Combined Use of Transesophageal ECHO and Fluoroscopy for the Placement of Left Ventricular Pacing Leads Via the Coronary Sinus," <i>PACE</i> , 2003 October, (26):1951-1954.	
		BEFELER et al., "Programmed Simultaneous Biventricular Stimulation in Man, with Special Reference to its Use in the Evaluation of Intraventricular Reentry," <i>Eur. J. of Cardiology</i> , Vol. 9, No. 5, pp. 369-378 (1979).	

IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known		
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		BENCHIMOL et al., "Cardiac Hemodynamics During Stimulation of the Right Atrium, Right Ventricle, and Left Ventricle in Normal and Abnormal Hearts," <i>Circulation</i> , Vol. 33, June 1966, pp. 933-944.		
		BENCHIMOL et al., "Contribution of Atrial Systole to the Cardiac Function at a Fixed and at a Variable Ventricular Rate," <i>The American Journal of Cardiology</i> , Vol. 16, No. 1, July 1965, pp. 11-21.		
		BLACKBURN et al., "Ventricular Pacing from the Coronary Sinus of a Patient with a Fontan Circulation," <i>Br. Heart J.</i> , 1993, (70):578-579.		
		BOCCHIARDO et al., "Efficacy of Biventricular Sensing and Treatment of Ventricular Arrhythmias," <i>PACE</i> , Vol. 23, 2000 November, 1989-1991.		
		BOURASSA, "Hemodynamic Studies During Intermittent Left Bundle Branch Block," <i>American Journal of Cardiology</i> , 1962 December, 792-799.		
		BOVE et al., "Ventricular Interdependence," <i>Prog. Cardiovasc. Dis.</i> , 1981 Mar-Apr; 23(5):365-388.		
		BRACKE et al., "Extraction of Pacemaker and Implantable Cardioverter Defibrillator Leads: Patient and Lead Characteristics in Relation to the Requirement of Extraction Tools," <i>PACE</i> , 2002 July, (25):1037-1040.		
		BROKA et al., "Hemodynamic Effects of Atrio-Biventricular Pacing," <i>Ann. Thoracic Surg.</i> , 1995, (60):1156.		
		BROWNEE et al., "New Functional Configurations for Adaptive Pacemakers," 28 th ACEMB, New Orleans, Sept. 20-24, 1975, p. 84.		
		BROWNEE et al., "Advances in ventricular synchronous demand cardiac pacemakers," <i>Med. Instrum.</i> , 1978 Mar-Apr; 12(2):94-99.		
		BROWNEE et al., "New Interference Sensing Demand Pacemaker Functions," <i>IEEE Transaction on Biomedical Engineering</i> , 1978 May, Vol. BME 25, No. 3, pp. 264-269.		
		CASTELLANOS et al., "Bipolar Coronary Sinus Lead For Left Atrial and Left Ventricular Recording," <i>American Heart Journal</i> , 1971, Vol. 81, No. 6, 832-836.		
		CASTELLANOS et al., "Measurement of Conduction Times With Catheter Electrodes During Pacing From Different Ventricular Sites," <i>British Heart Journal</i> , 1975, (37):242-248.		
		CASTELLANOS et al., "Unusual QRS Complexes Produced by Pacemaker Stimuli," <i>American Heart Journal</i> , 1969 June, Vol. 77, No. 6, 732-742.		
		CAZEAU et al., "Four Chamber Pacing in Dilated Cardiomyopathy," <i>PACE</i> , 1994 November, Part II, Vol. 17, 1974-1979.		
		CAZEAU et al., "Multisite Pacing for End-Stage Heart Failure," <i>PACE</i> , 1996 November, (19):1748-1757.		
		CAZEAU et al., "Echocardiographic Modeling of Cardiac Dyssynchrony Before and During Multisite Stimulation: A Prospective Study," <i>PACE</i> , 2003 January, Part II, (26):137-143.		

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		CHAMORRO et al., "Ejection VAVE; EF and Phase Histogram to Evaluate a Correct Programation of AV Delay in DDD Pacemakers," European Journal of Nuclear Medicine, Vol. 8, No. 5, pp. A 36 (1983).		
		COHEN et al., "Hemodynamic Responses to Rapid Pacing: A Model for Tachycardia Differentiation," PACE, 1988 November, (11):1522-1528.		
		Cordis Articor Manual, Implantable P-Wave Synchronized Cardiac Pacers, Model 145," 149-Rev. 3A, October 1973, pp. I-1 to VIII-1.		
		CURTISS et al., "Electrocardiographically Discrete Right and Left Ventricular QRS Complexes: A Case Report," J. Electrocardiol., 1987 April; 20(2):162-168.		
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		DAVID et al., "Atrial Alternans: Experimental Echocardiographic and Hemodynamic Demonstration During Programmed Pacing," Am. J. of Cardiology, September 1981, Vol. 48, pp. 468-472.		
		DAWSON et al., "Regional left ventricular wall motion in pacing induced angina," Br. Heart J., 1988, 59(3):309-318.		
		DAWSON et al., "Left ventricular filling and early diastolic function at rest and during angina in patients with coronary artery disease," Br. Heart J. 1989, 61(3):248-257.		
		DE TERESA et al., "An Even More Physiological Pacing: Changing the Sequence of Ventricular Activation," Cardiac Pacing: Proceedings of the VII th World Symposium on Cardiac Pacing, Vienna, May 1-5, 1983, Steinkopff Verlag Darmstadt 1983, pp. 395-400.		
		DE TERESA et al., "Haemodynamics of Ventricular Depolarization Sequence During Permanent Cardiac Pacing," Cardio Stimolazione, Vol. 2, No. 3, p. 225 (1984).		
		DE TERESA et al., "Haemodynamics of Ventricular Depolarization Sequence During Permanent Cardiac Pacing," Progress in Clinical Pacing, Proceedings Ed. by Santini et al., pp. 888-894, Rome (1984).		
		DREIFUS et al., "Use of atrial and bifocal cardiac pacemakers for treating resistant dysrhythmias," Eur. J. Cardiol., 1975 Dec.; 3(4):257-266.		
		DREIFUS et al., "Effect of multiple simultaneous activation sites (biventricular pacing) on ventricular depolarization and ventricular arrhythmias," Cardiac Pacing, Proceedings of the Vth International Symposium, Tokyo, 1976 March, pp. 33-39.		
		DUCK et al., "Vorhofsynchrone Ventrikelstimulation mit verkürzter a.v. Verzögerungszeit als Therapieprinzip der hypertrophischen obstruktiven Kardiomyopathie" "[Atrial Synchronous Ventricular Stimulation With Reduced a.v. Delay Time as a Therapeutic Principle in Hypertrophic Obstructive Cardiomyopathy]," Z. Gesamte Inn. Med., 1984 September 15, (39):18 437-447. (German with English-Language Abstract Attached)	English-Language Abstract	
		ERDOGAN et al., "Proportion of Candidates for Cardiac Resynchronization Therapy," PACE, 2003 January, Part II, 26:152-154.		

<p>IDS Form PTO/SB/08: Substitute for form 1449A/PTO</p> <p align="center">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p align="center">(Use as many sheets as necessary)</p>				Complete if Known	
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NON PATENT LITERATURE DOCUMENTS					
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		FEI et al., "Effects of Multisite Ventricular Pacing on Cardiac Function in Normal Dogs and Dogs with Heart Failure," <i>Journal of Cardiovascular Electrophysiology</i> , 1999 July, 10(7):935-946.			
		FINNEY, Jr., "Hemodynamic Alterations in Left Ventricular Function Consequent to Ventricular Pacing," <i>American J. Physiology</i> , 1965, 208(2):275-282.			
		FOSTER et al. , "Acute Hemodynamic Effects of Atrio-Biventricular Pacing in Humans," <i>Annals of Thoracic Surg.</i> , 1995, 55:294-300.			
		FUNKE, "[Optimized Sequential Pacing of Atrium and Ventricle - A New Therapeutic Concept in the Treatment of Bradycardial Dysrhythmias]," <i>Herz/Kreisl.</i> , October 1978; 10(10):479-483 (German with English-Language Abstract and English Translation Attached).			English Translation
		FURUTA et al., "[Assessment of interaction between the left and right ventricles using pressure-volume loops in various heart diseases]," <i>J. Cardiol.</i> , June 1988; 18(2):477-491. (Japanese with English Abstract and Figure Captions)			English-Language Abstract
		GASPARINI et al., on behalf of the Italian InSync ICD Registry Investigators, "Cardiac Resynchronization and Implantable Cardioverter Defibrillator Therapy: Preliminary Results from the InSync Implantable Cardioverter Defibrillator Italian Registry," <i>PACE</i> , 2003 January, 26(1):2, 148-151.			
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		GIBSON et al., "Effect of Changes in Ventricular Activation on Cardiac Haemodynamics in Man: Comparison of Right Ventricular, Left Ventricular, and Simultaneous Pacing of Both Ventricles," <i>Br. Heart J.</i> , 1971 May; 33(3):397-400.			
		GILMORE et al., "Synchronicity of Ventricular Contraction: Observations Comparing Haemodynamic Effects of Atrial and Ventricular Pacing," <i>Br. Heart J.</i> , 1963 May; 25:299-307.			
		GREATBATCH, "The Making of the Pacemaker: Celebrating Lifesaving Invention," <i>Prometheus Books</i> , 2000, pp. 1-260, particularly pp. 14-19.			
		GOMEZ-DOBLAS et al., "Ventricular Geometry And Heart Failure," <i>Rev. Esp. Cardiol.</i> , 1999 January, 52(1):47-52. Review. (Spanish with English Abstract)			English-Language Abstract
		GROVER et al., "Endocardial Pacing Site Affects Left Ventricular End-Diastolic Volume and Performance in the Intact Anesthetized Dog," <i>Circulation Research</i> , 1983 July, 53(1):72-85.			
		HAAS et al., "Pacemaker-Induced Cardiovascular Failure," <i>Am. J. of Cardiology</i> , Vol. 33, pp. 295-99 (February 1974).			
		HAUSER et al., "Performance of Pacemaker and Implantable Cardioverter Defibrillator Pulse Generators and Leads: Results from the Multicenter Registry," <i>The XIth World Congress on Cardiac Pacing & Electrophysiology</i> , Hong Kong, February 19-22, 2003, pp. 173-179.			
		HAYES et al., "Cardiac Pacing: How it Started, Where We Are, Where We Are Going," <i>PACE</i> , 2004 May, 27:693-704.			

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		HOCHLEITNER et al., "Usefulness of Physiologic Dual-chamber Pacing in Drug-Resistant Idiopathic Dilated Cardiomyopathy," <i>American Journal of Cardiology</i> , 1990 July 15, (66):198-202.		
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